

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Irrigation & CAD Department – suits – A.S.No.80/2010 against O.S.No.110/2002 filed by Sri. Atluri Subramanyeswara Rao, Gudivada – Sanction for an amount of Rs.2.36 lakh towards the decretal amount as per the orders dt.15.07.2011 of Hon'ble Court of XI Addl. District Judge, Gudivada, Krishna District - orders – Issued.

IRRIGATION & CAD (IW - ERD.2) DEPARTMENT

G.O.Rt.No.1158

Dated: the 17th October, 2012.

Read:

From the Engineer-in-Chief(I), Drg.Wing,Hyd, Lr.No.CE/DR/OT1/
AE5/1501/2003, dt.16.06.2009, and dt.28.07.2012.

ORDER:

In the reference read above, the Engineer-in-Chief (I), Drainage Wing, Hyderabad, has stated that the Superintending Engineer , Irrigation Circle, Vijayawada has reported that Sri. Atluri Subramanyeswara Rao, Contractor has filed a suit in O.S.No.110/2002 in the Court of Senior Civil Judge Gudivada for release of recovery of Rs.2,64,315/- being the amount of balance of principal and interest due under contract works of Polraj drain from Km.11.00 to Km.11.50 under the agreement No.65/SE/89-90 dated:28.08.1989. The Hon'ble Senior Civil Judge Court Gudivada has pronounced the Decree and Judgement on 24.02.2009 that the defendants shall pay to the plaintiff a sum of Rs.1,68,464/- with future interest at 6% per annum on Rs.72,614/- from the date of the suit i.e 26.04.2002 till the date of realization and that the defendants shall also pay to plaintiff a sum of Rs.10,127/- and do bear their own costs of Rs.5701/- and that the rest of the suit claim is dismissed. A.S.No.80/2010 was filed against the above decree.

2. The Engineer-in-Chief(I), Drainage Wing, Hyderabad has stated that the Superintending Engineer , Irrigation Circle, Vijayawada has reported that the appeal suit filed by the Department vide A.S.NO.80/2010 against O.S.No.110/2002 in the Hon'ble Court of XI Addl.District Judge, Gudivada was decreed in favour of the contractor confirming the Judgement and decree of the Lower Court. The Superintending Engineer has requested for release of LOC for Rs.3.00 lakh. It was also reported by the Superintending Engineer, that the contractor has filed EP.No.54/2012. The amount to be

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paid as per the orders of the Hon'ble Court in A.S.No.80/2010 are as follows:

S.No..	Description	Amount in Rs.
1	a) Decree amount b) Admissible interest at 6% on 72,614/- from the date of suit i.e 26.04.2002 to till the date of realization i.e 26.07.2012	Rs.1,68,464/- Rs.44,658/-
2	Cost of award in OS No.110/02	Rs.10,127/-
3	Cost of appeal in AS No.80/2010	Rs.12,515/-
	TOTAL	Rs.2,35,764/- (or) Rs.2,36,000

3. The Engineer-in-Chief(I), Drainage Wing, Hyderabad, has, therefore requested the Government to accord sanction for an amount of Rs.2.36 lakh towards payment of decretal amount due in A.S.No.80/2010 as per the orders dt.24.02.2009 of Hon'ble Court of XI Addl. District Judge, Gudivada.

4. Government, after careful examination, hereby accord sanction for an amount of Rs.2.36 lakh (Rupees two lakh thirty six thousand only) towards payment of decretal amount to Sri. Atluri Subramanyeswara Rao, Contractor, as per the orders of Hon'ble Court of XI Addl.District Judge, Gudivada, Krishna District.

5. The expenditure sanctioned at para (4) above shall be debited to the Head of Account "4711-03 Drainage –MH.103 – GH.11- SH (06) KDA – 530/531 O.E. (Charged)".

6. The Engineer-in-Chief (I), Drainage Wing, Hyderabad, shall take necessary action in the matter.

7. This order issues with the concurrence of Finance (Expr.PW) Department vide their U.O.No.24780/866/A1/Expr.PW/12, dated.18.09.2012.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJOYENDRA PYAL
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Engineer-in-Chief (I), Drainage Wing, Hyderabad.

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The Superintending Engineer, Irrigation Circle, Vijayawada.

Copy to:

The Accountant General, AP. Hyderabad.

The Director, Works Accounts, AP. Hyderabad.

The Finance (Expr.PW) Department

The OSD to M(M&MI)

P.S.to Spl. Chief Secy. to Govt. I & CAD Department.

P.S.to Spl. Secy. to Govt. I & CAD Department.

SF/SC

//FORWARDED ;; BY ORDER//

SECTION OFFICER